IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dario NERI

Examiner: Virginia Allen Portner

Serial No.: 10/321,558

Group Art Unit: 1645

Filed: December 18, 2002

Title: SPECIFIC BINDING MOLECULES FOR SCINTIGRAPHY

STATEMENT UNDER 37 C.F.R. §1.804(b)

I, Dario Neri declare that:

1. I am a coinventor of the above-identified application.

2. DNA encoding the antibody L19 as described in the above-identified application, e.g., as prepared in its Examples, particularly Example 2, was prepared prior to the filing of the original priority document for the above-referenced application, U.S. Serial No. 09/075,338 of May 11, 1998. This DNA has at all times since its initial preparation been stored, e.g., in facilities of both the Swiss Federal Institute of Technology (Zurich, Switzerland) and of Philogen s.p.a.(Siena, Italy) and has been the subject of careful controls by such institutions with respect to its storage, handling and replication.

3. Throughout the time period from May 1998 to the present, I have been familiar with these controls and the handling and usage of the samples of the original L19 DNA and replications thereof.

4. Based on my personal knowledge, I confirm that the biological material which was deposited at the American Type Culture Collection, Manassas, VA, on 30 September 2008 and bearing accession no. PTA-9529 is identical to the biological material specifically identified in the above-identified application as L19, as filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 3 October 2008

Dario Neri

Dario Neri